

REMARKS

Applicants have studied the Office Action dated October 10, 2006 and have made amendments to the claims. It is submitted that the application, as amended, is in condition for allowance. By virtue of this amendment, claims 10-22 are pending. Claims 1-9 have been canceled without prejudice. Claims 10, 14, 16, 19, and 20 have been amended. Reconsideration and allowance of the pending claims in view of the above amendments and the following remarks are respectfully requested.

Applicants confirm that in response to the restriction requirement under 35 U.S.C. § 121 they elect for continued prosecution of the Group II claims (i.e., claims 10-22). To advance the prosecution of the application, all other previously-pending claims (i.e., claims 1-9) have been canceled without prejudice or disclaimer. Applicant expressly reserves the right to later file a divisional application directed to the non-elected claims if this restriction requirement is not later withdrawn.

Claims 10, 14, and 16 were objected to because of "informalities". Claims 10, 14, and 16 have been amended in light of the specific comment of the Examiner. It is submitted that all of the pending claims now fulfill the requirements of 35 U.S.C. § 112. Therefore, it is respectfully submitted that the objection to claims 10, 14, and 16 should be withdrawn.

Claims 10-22 were rejected under 35 U.S.C. § 102(e) as being anticipated by deVries et al. (U.S. Patent No. 6,799,298). This rejection is respectfully traversed.

Amended independent claim 1 recites:

generating a second data source version identifier based on a modified version of the data source, **the modified version having at least one of content, form, and structure that is different from the prior version;**

querying the annotation data store for the annotations that apply to the prior version of the data source; and

adding a new entry into the annotation record of at least one of the annotations that is returned by the query, the new entry in the annotation record including the second data source version identifier and point information indicating coordinates of at least one part of the modified version of the data source that the at least one annotation returned by the query is meant to annotate, **so as to associate the at least one annotation with point information corresponding to at least two versions of the data source.**

Amended independent claims 16 and 20 contain similar recitations.

These embodiments of the present invention allow annotations to be linked to data sources (such as text documents) at specific locations (or "points") within the source. These embodiments also allow the data source to be changed (or "modified"), and for the annotations to be automatically linked so as to accurately apply to the original version of the data source, as well as to one or more modified versions of the data source, which have different content, form, and/or structure from the prior version. See specification at paragraph 0018.

Such features are realized because each annotation has associated with it an annotation record that stores a data source version identifier and pointers to the location in the original version and the one or more modified versions with which the annotation is to be associated (if anywhere). Thus, the pointers remain accurate throughout the different versions even if the data source has data that has been added or data that has been deleted. As recited in each of the independent claims, each annotation is associated with point information corresponding to at least two versions of the data source, and the modified version of the data source has at least one of content, form, and structure that is different from the prior version.

The deVries reference shows a technique for locating an item of interest within a stored representation of data. The deVries reference is directed toward video and audio files and the annotations are used to mark the presence of people and things within a scene. deVries at 15:16-26. The annotations in deVries use only time-based pointers to show to where in the video or audio file they are referring. deVries at FIG. 10.

The deVries reference uses the terms "first digital representation" and "second digital representation". However, these first and second representations are not equivalent to a "prior version" and a "modified version," as those terms are used in the claims and specification for the present invention. See specification at paragraphs 007 and 0021. In deVries, the "first digital representation" is the data source after being run through an encoder client 14. See deVries at 10:56-11:59; FIG. 2. The "second digital representation" is the result of the first digital representation being run through the transcoder client 16. See deVries at FIG. 3. Therefore, in deVries the "first digital representation" and the "second digital representation" are the identical video or audio stream content.

More specifically, the deVries reference aims to transmit video or audio streams as efficiently as possible (that is, to send the streams using P-frames and P-blocks with as few I-frames and I-blocks as possible). deVries at 10:25-27. The primary bit stream 44 and 54 and the secondary bit stream 46 and 56 of FIGs. 2 and 3 are simply I and P frames that are combined, as necessary, to form the video or audio stream as efficiently as possible. deVries at 11:9-13. For that reason, the content of the streams is always the same, so the time-based pointers used in deVries are consistent between the two representations. For example, the ten second mark in the first representation is always identical to the ten second mark in the second representation. The method disclosed in deVries does not utilize "previous" and "modified" versions of the data source, as is recited in the independent claims. In deVries, the first digital representation and the second digital representation are the identical video or audio stream content in the identical order.

FIG. 10 of deVries clearly illustrates several differences between deVries and the presently claimed invention. The method of deVries utilizes annotations 152, but each is a different type 154 of annotation and each has its own annotation ID and start and stop times 158. Nowhere does deVries teach or suggest an annotation that is associated "with point information corresponding to at least two versions of the data source," with one version varying from the other version by "having at least one of content, form, and structure that is different from the [other] version."

Applicant believes that the differences between deVries and the present invention are clear in amended claims 10, 16, and 20, which set forth various embodiments of the present invention. Therefore, claims 10, 16, and 20 distinguish over the deVries reference, and the rejection of these claims under 35 U.S.C. § 102(e) should be withdrawn.

As discussed above, claims 10, 16, and 20 distinguish over the deVries reference, and thus, claims 11-15, claims 17-19, and claims 21 and 22 (which depend from claims 10, 16, and 20, respectively) also distinguish over the deVries reference. Therefore, it is respectfully submitted that the rejection of claims 10-22 under 35 U.S.C. § 102(e) should be withdrawn.

In this Response, Applicant has amended certain claims. In light of the Office Action, Applicant believes these amendments serve a useful clarification purpose, and are desirable for clarification purposes, independent of patentability. Accordingly, Applicants respectfully submit that the claim amendments do not limit the range of any permissible equivalents.

Applicant acknowledges the continuing duty of candor and good faith to disclosure of information known to be material to the examination of this application. In accordance with 37 C.F.R. §1.56, all such information is dutifully made of record. The foreseeable equivalents of any territory surrendered by amendment are limited to the

territory taught by the information of record. No other territory afforded by the doctrine of equivalents is knowingly surrendered and everything else is unforeseeable at the time of this amendment by the Applicants and their attorneys.

In view of the foregoing, it is respectfully submitted that the application and the claims are in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is invited to call the undersigned attorney at (561) 989-9811 should the Examiner believe a telephone interview would advance the prosecution of the application.

Respectfully submitted,

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